

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Zecchino et al.

Serial No.: 09/995,358 Group Art Unit: 1618

Filed: November 26, 2001 Examiner: Fubara, B.

For: GELLED AQUEOUS COSMETIC COMPOSITIONS

**RESPONSE TO NON-COMPLIANT AMENDMENT UNDER 37 C.F.R. § 1.121**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The notice of non-compliant amendment mailed June 5, 2009, objected that the “claims have not been presented in ascending numerical order”. However, in view of the observation on the notice that “Claim 17 is missing.” it is presumed that the Examiner intended to advise the Applicants that “A complete listing of all of the claims is not present.”

On review of the claims listing in the Applicants’ response of April 13, 2009, the Applicants further noted that claim 11 had also been omitted, and that the status identifiers for claims 6, 7 and 21, were inaccurate. Therefore, the Applicants herein present an amended listing of the claims in which the following corrections have been made.

Cancelled claims 11 and 17, both omitted from the previous response, have now been listed together with their respective proper status identifiers (“cancelled”). The respective status identifiers for claims 6, 7 and 21, have been corrected from “original” to “currently amended”.

Reconsideration of the application in view of the above remarks and those of the Applicants' response submitted on April 13, 2009, together with the following amended claim listing is respectfully requested.